

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD  
MINUTES OF MEETING HELD JULY 13, 2005  
FLAGSTAFF, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on July 13, 2005, at the Little America Hotel, located at 2515 E. Butler Avenue, Flagstaff, AZ.

**Members Present:**

Sheriff Gary Butler, Chairman  
Mr. Gary Phelps, representing Director Dora Schriro  
Sergeant Octavio Gradillas, Jr.  
Chief Patricia Huntsman  
Chief Jerry Sheridan  
Dr. Michael Polakowski  
Director Roger Vanderpool  
Chief Jack Harris  
Ms. Laura Reckart, representing Attorney General Terry Goddard

**Members Absent:**

Sheriff Clarence Dupnik  
Sergeant Tamatha Villar  
Mr. Joseph Duarte  
Ms. Lisa Flores

**Staff in Attendance:**

Tom Hammarstrom  
Lyle Mann  
Bob Forry  
Gary Maschner  
Ted Brandon  
Steve Jacobs  
Curt Milam  
Marie Dryer  
Sgt. Jim Delung  
Ed Felix  
Faith Fennell  
Rosalee Fitch  
Lois Sherlock

Counsel for Board in Attendance:

Diana Stabler, Assistant Attorney General

Guest Roster:

Lt. Mark Timpf, Tucson P.D. (SALETC)  
Lt. Mark Gorla, Avondale P.D.  
Sam Weiss, CARLOTA  
Steve West, Springerville P.D.  
Larry McGill, Kingman P.D.  
Robert DeVries, Kingman P.D.  
Tim Mosby, Kingman P.D.  
Preston Becker, Glendale P.D.  
Terry Hollis, Somerton P.D.  
Heriberto Bejarano, San Luis P.D.  
Benjamin B. Cotman, Somerton P.D.  
Ed Cibbarelli, CAC  
Heidi Low, Arizona Police Corps  
Judy Manning, Glendale P.D.  
Jon Heiden, Arizona Police Corps  
Dave Jordan, Pinal County S.O.  
John Griffin, Safford P.D.  
Robby Robinson, Yuma P.D.  
Laura Molinaro, Prescott Valley P.D.  
John L. Pickens, ASU P.D.  
Ken Janes, Pima County Attorney  
Dennis L. Donna, Mesa P.D.  
J.T. McCann, Flagstaff P.D.  
Terry Stewart, MCAO  
Dave Witter, AZ DPS  
John Cocca, Scottsdale P.D.  
Bill Wilton, Scottsdale P.D.  
Sherry Kiyler, Chandler P.D.  
Terry Cooper, ADCJ  
Rick Brzychalski, Chandler P.D.  
Anthony Daykin, U of A P.D.  
Charlie Lentner, Oro Valley P.D.  
Dean Nyhart, AZ DPS (ALEA)  
Rod Mendoza, Parker P.D.  
David Santor, Sierra Vista P.D.  
Ken Kimmel, Sierra Vista P.D.  
Jesus Altamirano, DLLC  
James Jarrell, Yavapai County S.O.  
Stuart Heller, Sahuarita P.D.  
Mike Erfert, Yuma P.D.  
D. A. Hartup, Holbrook P.D.  
Ric Athey, Motor Vehicle Enforcement

Tracey Nielsen, Pascua Yaqui P.D.  
Elizabeth Esparza, Pascua Yaqui P.D.  
Tom A. Hain, Page P.D.  
Jeremy Hunt, Page P.D.  
Jan Madeya, ACIP  
Tom Clinkenbeard, ADOT  
William B. Pribil, Coconino County S. O.

A. CALL TO ORDER

Chairman Gary Butler convened the meeting at 1:30 p.m.

B. INTRODUCTIONS

Mr. Ed Cibbarelli from Central Arizona College presented AZ DPS Director Roger Vanderpool with a plaque to honor him for his service as one of the founding members of the Arizona Police Corps Advisory Board.

Executive Director Hammarstrom presented a plaque to Officer Harry Atkins for his substantial contribution in the development of the 40-Hour General Instructor course.

Director Hammarstrom also recognized the following AZ POST staff for the excellent job they have done on special projects: Ted Brandon, Faith Fennell, Jim Delung, and Christel Boeck.

C. CONSENT AGENDA

Approved unanimously, motion made by Chief Sheridan, seconded by Chief Harris.

1. Minutes of the Regular Board meeting, held on May 18, 2005, were approved as written.
2. Minutes of the Charging Board meeting, held on May 18, 2005, were approved as written.
3. Minutes of the Charging Board meeting, held on June 15, 2005, were approved as written.
4. The next scheduled Regular Board meeting is Wednesday, September 21, 2005, 1:30 p.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

## 5. Ministerial Actions:

- a. Certification Waivers: The following individual(s) have met the requirements set forth in AZ POST Rule R13-4-110 and have successfully completed the testing process and verification by AZ POST staff. Therefore, upon Board direction, certified peace officer status has been granted to:

Kenneth R. Barrett	Cochise County Sheriff's Office
Harry R. Collins	ADOT-MVD
Merton J. Davis	Mesa Police Department
Thomas Glackin	Arizona Department of Corrections
Juan C. Hoke	Cochise County Sheriff's Office
Michael A. Kaufman	Phoenix Police Department
Joe Lucero	Arizona Corporation Commission
Marion D. Morgan	Hualapai Nation Police Department
Joshua M. Sondrol	Lake Havasu City Police Department

- b. Instructor Certification Renewals: LIST ATTACHED TO MINUTES.
- c. Training Program Confirmations: Agency requests were reviewed by staff and found to comply with Board guidelines. Programs were confirmed as requested. LIST ATTACHED TO MINUTES.

6. Decertification Case Status Report Update – As of June 22, 2005, the Compliance and Standards Unit has a caseload of 146 active cases. Thirteen cases are ready for initial presentation; 71 cases need further investigation; 19 cases are pending service of or response to a Notice of Complaint or Decision; 8 cases are pending hearing; 7 cases are ready for final action, and 28 cases are waiting for outside action, i.e., a criminal trial or civil service hearing.

## 7. Income and Expense Statement – May 2005

Funds as of May 1, 2005	\$ 901,284.46
CJEF Revenue	658,989.01
Expenditures/Encumbrances	(312,636.78)
Balance for May 31, 2005	\$ 1,247,636.69

## D. REGULAR AGENDA

1. Review of the 2005 COTA 360-Hour Basic Correctional Officer Curriculum Proposal. The Correctional Officer Training Academy (COTA) submitted for review the 2005 COTA 360-Hour Basic Correctional Officer Curriculum as required by AZ POST Rule R13-

4-205. The training curriculum reflects an expansion of previously approved 280-hour curriculum to 360 hours. Staff believes that the 2005 Revised 360-Hour Curriculum has met the requirements set forth in AZ POST Rule R13-4-205 (A), (C), and (D).

Chief Huntsman made a motion to approve the 2005 COTA 360-hour Basic Correctional Officer Curriculum as presented by COTA for instruction in the Basic Correctional Officer Training Academy, seconded by Chief Harris, motion carried unanimously.

2. Adjustment to 2005/2006 Budget – Mobile Driving Simulator Operator. The adjustment of the 2005/2006 budget is to provide funding for a Driving Simulator Operator to facilitate the provision of Driving Simulation training around the state. The Board previously approved a strategy for providing Driving Simulator training which included static sites in Phoenix, Flagstaff and Yuma. In addition, the strategy included a pair of simulators installed in a trailer which was to move around the state to serve all other areas.

Due to several setbacks in the procurement of the simulators, the trailer in which they are to be installed and the truck to pull the trailer, funding for the contract position to operate this system was not included in the 2005/06 budget. Those problems are solved, and the last part of the strategy is ready for implementation. The Tucson Police Department has agreed to contract with the Board and assign Officer Matt Griffis to operate this system.

Director Vanderpool made a motion that the 2005/2006 budget be adjusted to fund the Mobile Driving Simulator program, seconded by Sgt. Gradillas, motion carried unanimously.

#### E. LEGISLATIVE UPDATE

No report.

#### F. SUMMARY OF CURRENT EVENTS

Executive Director Hammarstrom reported that he has had substantial interest from around the state in accessing the \$150,000 the Board approved for the improvement of rural firearms ranges. The POTF has performed well above budget projections, and if the Board so desires, additional funding will be available for bringing ranges throughout Arizona up to a standard that is comparable to the professional facilities that are in Phoenix and Tucson.

#### G. COMMITTEE UPDATE

Acting Chairman Beverly Ginn reported that the Rules Advisory Group met and reviewed the language concerning the proposed new rule on juvenile indiscretion and the comprehensive final exam for graduation from an academy. Also discussed at length was a proposal to change the rules relating to the certification of firearms instructors to permit civilians to become certified firearms instructors. This is a reflection of a need to have more firearms instructors throughout the state and also the fact that many civilian personnel are qualified to be a firearms instructor. The Group asked staff to put together a proposed rule that will be discussed at the next meeting in September. Also, staff advised that at the next meeting in September they will bring forth language for a new rule that would place a time-frame between the time that an open enrollee graduates from an academy, and when they are appointed to an agency.

## H. REPORTS

### 1. Basic Training

ALEA – Commander Dean Nyhart reported that currently they have 123 recruits on campus. A class is starting July 18<sup>th</sup> with 55 recruits. At the last Board meeting, Commander Nyhart reported on the concerns ALEA staff had concerning the attrition rate. In March and April they implemented a 12-point program to try and positively impact attrition rates. Over the last few months there has been a steady decline in the attrition rate; currently at 18%, down from 33%. Executive Director Hammarstrom congratulated Commander Nyhart on the excellent job he has done in this area.

CARLOTA – Director Weiss reported that in the last year CARLOTA has run their four-course rotation. Last August Class #87 started with 26 recruits, graduated 24, representing 12 agencies with a 92% success rate. In September Class #88 started with 19 recruits, graduated 18, representing 11 agencies with a 95% success rate. In January Class #89 started with 20 recruits, graduated 20 from 13 agencies, and Class #90 started with 19 recruits, graduated 15, representing 13 agencies with a 79% success rate. This last four-course rotation started with 84 recruits, graduated 77 for a 92% success rate. Since January 2001, CARLOTA has started with 346 recruits, graduated 308 with a 89% success rate. They have classes starting in August and September. The August class has 38 registered with 30 on a waiting list, September class has 24 registered, and 26 on a waiting list. Director Weiss is happy to report that the driving track will be ready by August 1<sup>st</sup>.

COTA –Commander Jim Branch reported that since the last meeting, COTA has graduated 98 cadets out of 133 starts. 31 cadets resigned, 7 were dismissed, and 9 were recycled to other classes. There are 127 recruits currently attending. For Fiscal Year 2005 they started with 1106 cadets, graduating 844 for a 76.31% success rate. COTA continues to offer their facilities to all law enforcement entities.

Mesa Academy – Officer Harry Atkins reported that currently Class #24 is in their 14<sup>th</sup> week with 28 recruits; 24 from Mesa P.D. and 4 from Scottsdale P.D. Graduation is scheduled for August 26<sup>th</sup>. Class #25 is scheduled to start October 17<sup>th</sup> with 44 requested slots.

NARTA – On behalf of Commander Bacon, Marie Dryer from AZ POST reported that their next class will begin August 15<sup>th</sup> with 43 recruits, representing 11 agencies. This summer they will host 3 classes; General Instructor, Basic Supervision and DRE School.

SALETC – Lt. Mark Timpf reported that Class #05-2 started with 68 recruits, with 44 recruits remaining, representing 11 agencies. The students are performing considerably better than the last class. Many of the problems of the previous class have been resolved, and that has been attributed to an orientation day SALETC had in April that seemed to increase the physical fitness aspect and mentally prepared the students for the course work and proficiencies of the academy. Starting October 3<sup>rd</sup>, a total of 87 slots have been reserved, representing 10 agencies.

2. Arizona Police Corps

Representing Director Heiden, Program Assistant Heidi Lowe reported that the Senate has recommended putting \$10,000,000 back into Police Corps program. This recommendation was sent back to another committee, and they are waiting for their decision. Police Corps does have one individual attending the Police Corps academy in North Carolina; he is in his second week and progressing very well.

3. Department of Corrections

Mr. Phelps thanked Executive Director Hammarstrom, John Hallahan and Commander Branch and their staff for the COTA curriculum update.

4. Arizona Regional Community Policing Institute

On behalf of AZRCPI Executive Director Rod Covey, POST Deputy Director Lyle Mann reported that AZRCPI has been included in an announcement for an additional \$400,000 for continuing funding of the Institute. The subject of Human Trafficking has been added to the Institute's training schedule. A short video was shown to address the issues surrounding this topic. CD's on Human Trafficking were sent to all Training Coordinators and agency heads.

I. CASES: Consideration and possible action on the certified status of peace officers.

Case #1 – Eric J. Geraci – Sierra Vista Police Department. Chief Sheridan made a motion to adopt the Consent Agreement, Order and Decision (voluntary relinquishment of certification), seconded by Chief Harris, motion carried unanimously.

Case #2 – Donna M. Huston – Mesa Police Department. Dr. Polakowski made a motion to adopt the Findings of Fact and Conclusions of Law and suspend certification for a period of 3 months, seconded by Sgt. Gradillas, motion carried unanimously.

Case #3 – Stephen P. Kocher – Parker Police Department. The Board considered comments by Asst. A.G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and suspend certification for one year beginning July 13, 2005 to July 13, 2006, seconded by Director Vanderpool, motion carried unanimously.

Case #4 – Michael D. Manning – Glendale Police Department. Sgt. Gradillas made a motion to adopt the Consent Agreement, Order and Decision (voluntary relinquishment of certification), seconded by Mr. Phelps, motion carried unanimously.

Case #5 – Michael J. Mickelson – Arizona Department of Public Safety. The Board considered comments from Asst. A.G. Diana Stabler. *Director Vanderpool recused himself from participation and voting on this case.* Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and suspend certification for 6 months beginning November 3, 2004, seconded by Ms. Reckart, motion carried unanimously.

Case #6 – Jeremiah W. Staats – Arizona Department of Transportation/MVD. Dr. Polakowski made a motion to adopt the Findings



of Fact and Conclusions of Law and revoke certification, seconded by Chief Huntsman, motion carried unanimously.

Case #7 – Ronald N. Van Why – Quechan Tribal Police Department. The Board considered comments by Asst. A.G. Diana Stabler and letters from Mr. Van Why. Chief Harris made a motion to adopt the Findings of Fact and Conclusions of Law and revoke certification, seconded by Director Vanderpool, motion carried unanimously.

J. CALL TO THE PUBLIC

None received.

K. ADJOURN

Chairman Butler adjourned the meeting at 2:30 p.m.

Dated July 21, 2005

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Lois Sherlock, Recording Secretary